THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.7750 of 2007

16.4.2007

Between:

B.Sujatha, W/o.B.Sahadev,
And others

… Petitioners

AND

The Government of Andhra Pradesh represented by its Secretary for Revenue, Secretariat, Hyderabad
And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.7750 of 2007

ORDER:

The petitioners, who are thirty five (35) in number, were allegedly assigned house sites in the land comprised in survey No.42 situated at Bandlaguda Village of Uppal Mandal in Ranga Reddy District. These pattas were granted in File No.B2/2646/1989, dated 12.7.1993 of fourth respondent. It is their grievance that in spite of going from pillar to post umpteen times, respondents did not handover possession of their respective house sites. Therefore, they seek a writ of Mandamus directing respondents to handover possession of the house sites assigned to them.

Learned Counsel for petitioners submits that though higher officials directed fourth respondent to handover possession, he did not do so, which is illegal and arbitrary. **Opposing** the writ petition, learned Assistant Government Pleader for Revenue (Assignment) submits that petitioners approached this Court after long delay of about fourteen years and, therefore, at this point of time, a writ as prayed cannot be granted. Secondly he submits that in view of the changed policy, the landless and poor persons are only entitled for constructed houses under different schemes being implemented by the Government and that though the petitioners were assigned house site pattas in 1993, when they were not in possession, they are not entitled for the same.

This Court after giving anxious consideration finds force to the submissions made by the learned Assistant Government Pleader. When the petitioners were assigned house site pattas in 1993, nothing prevented them in approaching appropriate authority or this Court for necessary orders to handover possession. They did not do so. Mere

making representations, the authorities could not in any manner mitigate in favour of the petitioners. Secondly, as rightly pointed out by the learned Assistant Government Pleader as of now the Government, as a policy, is allotting constructed houses under different housing schemes. As and when such a scheme is under implementation, it is always open to the petitioners to approach the Mandal Revenue Officer, Uppal Mandal, to get the benefit if they are still landless and poor persons besides satisfying to other conditions of eligibility for allotment of house sites/constructed houses. In this writ petition, no relief can be granted.

The writ petition, with the above observations, is accordingly dismissed. No costs.

_____

(**V.V.S.RAO, J**)

April 16, 2007.

YS